

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

Plaintiff

vs

CRIMINAL 11-0495CCC

1) WILLIAM ZAMBRANA-SIERRA
2) OMAR RIVERA-ROSARIO
3) ANGEL L. COTTO-NEGRON
4) **XAVIER CASTRO-VEGA**

Defendants

ORDER

Having considered the Report and Recommendation filed on May 21, 2012 (**docket entry 96**) on a Rule 11 proceeding of defendant Xavier Castro-Vega (4) held before U.S. Magistrate Judge Bruce J. McGiverin on May 18, 2012, to which no objection has been filed, the same is APPROVED. The Court FINDS that defendant's plea was voluntary and intelligently entered with awareness of his rights and the consequences of pleading guilty and contains all elements of the offense charged in the indictment. However, the Court will defer its decision on accepting defendant's Fed. R. Crim. P. 11(c)(1)(C) Plea Agreement until it reviews the Presentence Report as permitted by Fed. R. Crim. P. 11(c)(3)(A).

This case was referred to the U.S. Probation Office for preparation of a Presentence Investigation Report since May 18, 2012. The **sentencing hearing is set for August 21, 2012 at 4:30 PM.**

SO ORDERED.

At San Juan, Puerto Rico, on June 13, 2012.

S/CARMEN CONSUELO CEREZO
United States District Judge